

ADAMS, J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM HOWE, et al.,)	CASE NO. 5:06CV2779
)	
Plaintiffs,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	<u>ORDER</u>
THE CITY OF AKRON,)	
)	
Defendant.)	

The within matter is before the Court pursuant to Local Rule 37.1 upon the following:

- 1.) a letter dated June 6, 2008, from Patricia Ambrose Rubright, one of the attorneys for defendant City of Akron;
- 2.) a letter dated June 12, 2008, from Attorney Rubright;
- 3.) the curriculum vitae of Paul Richard Jeanneret, Ph.D;¹
- 4.) Plaintiffs' Status Report (Doc. 67);
- 5.) a second letter, dated June 12, 2008, from Attorney Rubright;
- 6.) a letter dated June 12, 2008, from Dennis R. Thompson, one of the attorneys for plaintiffs; and
- 7.) a letter, dated June 13, 2008, from Attorney Rubright.

Fed. R.Civ. P. 26(b)(4)(C)(i) provides in part that the court shall require that the party seeking discovery "pay the expert a reasonable fee for time spent in responding to discovery." In balancing the relevant factors set forth in *Goldwater v. Postmaster General of U.S.*,

¹The CV of Dr. Jeanneret was solicited by the undersigned during the telephone conference held on June 9, 2008.

136 F.R.D. 337, 340 (D.Conn. 1991) (six-factor test) and *Jochims v. Isuzu Motors Ltd.*, 141 F.R.D. 493, 495-96 (S.D.Iowa 1992) (seven-factor test), the Court fixes Dr. Jeanneret's fee at \$500 per hour for the giving of a discovery deposition, plus \$500 per hour for preparation time. The Court finds that this amount is reasonable and will fairly compensate Dr. Jeanneret for his time in participating in this litigation.

IT IS SO ORDERED.

June 23, 2008
Date

/s/ John R. Adams
John R. Adams
U.S. District Judge